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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,021	12/21/2001	Yasumichi Hitoshi	021044-001210US	6123

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EXAMINER

YU, MISOOK

ART UNIT PAPER NUMBER

1642

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,021

Applicant(s)

HITOSHI ET AL.

Examiner

MISOOK YU, Ph.D.

Art Unit

1642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 36-39 is/are pending in the application.
4a) Of the above claim(s) 1-8, 12-14, 17, 19 and 39 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 9-11, 15, 16, 18, 20-32, 34 and 36-38 is/are rejected.
7) ☒ Claim(s) 33 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/29/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: Exhibit B, and C.



DETAILED ACTION

Claims 1-8 and 39 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Claims 12-14, 17, 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claims 1-34 and 36-39 are pending, and claims 9-11, 15, 16, 18, 20-34, 36-38 are examined to the extent they are drawn to the elected species of measuring cellular proliferation.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This Office action contains new grounds of rejection.

Claim Rejections - 35 USC § 112, Withdrawn

The rejection of claims 9-11, 15, 16, 18, 20-38 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is withdrawn in view of the amendment.

The rejection of claims 9-11, 15, 16, 18, 20-32, and 34-38 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement is withdrawn in view of the amendment.

The rejection of claims 9, rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement is withdrawn in view that claim 35 is cancelled.

Claim Rejections - 35 USC § 102, Withdrawn

The rejection of claims 9-11, 15, 16, 18, 24-32, 34, 36, and 37 under 35 U.S.C. 102(b) as being anticipated by US 5,650,501 A (IDS AA filed on 06/27/002, 22 July 1997, the '501 patent from now on) is withdrawn because the amended claims are no longer anticipated by US 5,650,501 A.

Claim Rejections - 35 USC § 103, Withdrawn

The rejection of claims 9, 15, and 20-23 under 35 U.S.C. 103(a) as being unpatentable over US 5,650,501 A (22 July 1997) in view of US 5,959,081 A (28 September 1999, the '081 patent from now on) is also withdrawn because US 5,650,501 A is not an art for the amended base claim 9.

The rejection of claims 9, 37, and 38 under 35 U.S.C. 103(a) as being unpatentable over US 5,650,501 A (22 July 1997) in view of US 5,589,356 A (31 December 1996, the '356 patent from now on) is also withdrawn because US 5,650,501 A is not an art for the amended base claim 9

The Following Are New Grounds of Rejections

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 1642

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9-11, 24, 25, 32, 36, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by WO 01/53312 A1 (filing date of 26 December 2000, the entire sequence listing and sequence table are not provided in this office action because the document is over 600 pages. The relevant sequence is provided with the sequence alignments as Exhibits B, and C).

Claims 9-11, 24, 25, 32, 36, and 37 are drawn to method of identifying a useful compound by determining the functional effect of said compound modulating cellular proliferation when said compound is contacted with a SAK polypeptide encoded by a nucleic acid encoding a SAK polypeptide having at least 95% sequence identity to instant SEQ ID NO:2 protein, wherein the polypeptide has serine/threonine kinase activity, wherein the effect is measure in vitro (claim 10), the effect being a physical effect (claim 11), the modulation being inhibition of cellular proliferation (claim 24), inhibition of cancer cell proliferation (claim 25), the polypeptide being used in the method is recombinant (claim 32), the compound being screened in the method is a small organic molecule (claim 36), and the compound being screened in the method is a peptide (claim 37).

WO 01/53312 A1 teaches (1) a SAK polypeptide that is 99.9% identical (i.e. SEQ ID NO: 2389) to the instant SEQ ID NO:2 (see Exhibit B) encoded by a recombinant nucleic acid (i.e. SEQ ID NO: 603) that is 99.9 % identical to instant SEQ ID NO:1 (see

Art Unit: 1642

Exhibit C); (2) drug screening assays using a polypeptide encoded by the many disclosed recombinant nucleic acids, one of the being SEQ ID NO: 603 (see pages 89-91). Although WO 01/53312 A does not say anything about "a compound modulates cellular proliferation" recited in the preamble of the instant claim 9, this limitation in the preamble does not breathe life and meaning into the claims because the compound being selected in the claims as currently construed are not identified based on the modulation cellular proliferation. Note claim 24 describes modulation of cellular proliferation, not compound being selected based on inhibition of cellular proliferation. Thus, the instant claims 9-11, 18, 24, 25, 32, 36, and 37 read on the drug screening assay of WO 01/53312 A1, which teaches a SAK polypeptide.

The Office does not have the facilities and resources to provide the factual evidence needed in order to establish that the polypeptide of the prior art does not possess the functional characteristics of the instantly claimed polypeptide. Since the structures are the same, it is the Office's position that the polypeptide of the prior art has the claimed kinase activity. In the absence of evidence to the contrary, the burden is on the applicant to prove that the claimed polypeptide is different from those taught by the prior art and to establish patentable differences. See *In re Best* 562 F.2d 1252, 195 USPQ 430 (CCPA 1977) and *Ex parte Gray* 10 USPQ 2d 1922 (PTO Bd. Pat. App. & Int. 1989).

Claim Rejections - 35 USC § 103

Claims 9, 15, 16, 18, 26-31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/53312 A1 (cited above) in view of US 5,650,501 A of record.

Claims 9, 15, 16, 18, 26-31, and 34 are drawn to method of identifying a useful compound by determining the functional effect of said compound modulating cellular proliferation when said compound is contacted with a SAK polypeptide encoded by a nucleic acid encoding a SAK polypeptide having at least 95% sequence identity to instant SEQ ID NO:2 protein, wherein the polypeptide with serine/threonine kinase activity is expressed in a eukaryotic host cell (claim 15), the effect being a physical effect (claim 16), a phenotypic effect (claim 18), the host cell being a cancer cell (claim 26, and 27), the cell being transformed cell lines (claims 28, and 30), and the cancer cells being p53 mutant or wild-type (claims 30, and 31), the compound being antibody (claim 34).

Applicant argues that US 5,650,501 A of record does not teach the limitation of “a SAK polypeptide having at least 95% sequence identity to SEQ ID NO:2” in the amended claim 9.

In response to the amendment, the 102(b) rejection with US 5,650,501 A of record is withdrawn and US 5,650,501 A of record is being used for 103 (a) reference.

WO 01/53312 A1 teaches the polypeptide being used in the screening assay. Note 102(e) above for further details of what WO 01/53312 A1 teaches.

WO 01/53312 A1 does not teach a eukaryotic host cell, the effect being a physical effect, a phenotypic effect, the host cell being a cancer cell, the cell being transformed cell lines, and the cancer cells being p53 mutant or wild-type, the compound being antibody.

The '501 patent teaches an antibody to a serine/threonine kinase protein (for example column 5), a eukaryotic host cell, and various cancer cells for at column 19, lines 52-67 "Substances which are capable of binding to the kinase protein of the invention or isoforms or parts thereof, particularly regulators, agonists and antagonists of the binding of regulators and substrates of Sak protein identified by the methods of the invention, antisense nucleic acid molecules of the invention, and antibodies of the invention may be used for stimulating or inhibiting cell proliferation. The regulators, agonists and antagonists, substrates etc. may accordingly be used to stimulate or inhibit cell proliferation associated with disorders including various forms of cancer such as leukemias, lymphomas (Hodgkins and non-Hodgkins), sarcomas, melanomas, adenomas, carcinomas of solid tissue, hypoxic tumors, squamous cell carcinomas of the mouth, throat, larynx, and lung, genitourinary cancers such as cervical and bladder cancer, hematopoietic cancers, head and neck cancers, and nervous system cancers".

As for the effect being a physical effect, a phenotypic effect, the host cell being a the '501 patent discloses at the line bridging columns 1 and 2 that an antisense to block the expression of SAK inhibits cellular proliferation, i.e. "cell growth was suppressed", and at column 5 lines 5-40 discloses "the method comprises providing a known concentration of a serine/threonine kinase protein of the invention, or an isoform or part of the protein, incubating the kinase protein, isoform or part of the protein with a substance which is a substrate of the kinase protein, or isoform or part of the protein, and a suspected agonist or antagonist substance, under conditions which permit the phosphorylation of the substrate, and assaying for phosphorylation of the substrate. In a

Art Unit: 1642

second embodiment, the method comprises providing a known concentration of a serine/threonine kinase protein of the invention, or an isoform or part of the protein, incubating the kinase protein with a substance which is capable of binding to and activating the kinase protein, or isoform or part of the protein, and a suspected agonist or antagonist substance under conditions which permit the formation of substance-protein complexes, and assaying for activation of the kinase protein. The methods of the invention permit the identification of potential stimulators or inhibitors of cell proliferation which will be useful in the treatment of proliferative disorders.” In other words, the invention is to discover the antagonist or agonist of cellular proliferation modulated by the activity of SAK polypeptide.

Further, the ‘501 patent at column 5 line 23-25 teaches “Substance which affect cell proliferation may be identified”, and “The invention provides a method for screening for substances having pharmaceutical utility in treatment and diagnosis of proliferative disorders”. The ‘501 patent at column 14 teaches an antibody, method of using the antibody in determining cellular proliferation modulation at column 16, detailed screening assays for measuring cellular proliferation using the SAK polypeptides and other putative medically useful compounds of peptide and antibody from columns 17-20.

As stated in the previous Office action, the recited status of p53 status of being wild type, the null, or mutant, especially given that the instant specification is not about which cancer has null, or mutation, or wild-type in p53, it is the Office’s position that various cancer cells of the ‘501 patent have the different status in p53 gene. The Office does not have the facilities and resources to provide the factual evidence needed in

Art Unit: 1642

order to establish that the various cancers of the '501 patent do not have the three different p53 status. This determination requires sequencing of all the cancers listed in the '501 patent. In the absence of evidence to the contrary, the burden is on the applicant to prove that the claimed cancer cells are different from those taught by the prior art and to establish patentable differences. See *In re Best* 562F.2d 1252, 195 USPQ 430 (CCPA 1977) and *Ex parte Gray* 10 USPQ 2d 1922 (PTO Bd. Pat. App. & Int.1989).

As for claims 30, and 29, drawn to transformed cancer cell lines, the '501 patent at column 12, line 7 teaches "HeLa" cell.

Therefore, it would have been obvious to one of ordinary skill in the art to use DNA synthesis as an amount of ^3H thymidine incorporation or measuring green fluorescent protein detection with a reasonable expectation of success, given that the '501 patent teaches that a SAK protein is involved in cellular proliferation. One of ordinary skill would be motivated to identify a compound that dilutes the green emission as an candidate that might be inhibiting cellular protein, or the compound that inhibits ^3H thymidine incorporation in DNA of the cell as a possible candidate for inhibiting cancer cell growth, given that the '501 patent teaches that a SAK protein is involved in cellular proliferation

Claims 9, 15, and **20-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/53312 A1 (cited above) in view of US 5,650,501 A of record and further in view of US 5,959,081 A of record (the '081 patent).

Claims 9, 15, and 20-23 are drawn to method involving measuring cellular proliferation as the functional effect to identify a useful compound by determining whether or not said compound modulates cellular proliferation, when said compound is contacted with a SAK polypeptide having at least 95% sequence identity to the instant SEQ ID NO:2 protein, wherein said cellular proliferation is determined by measuring DNA synthesis or measuring green fluorescent protein.

Applicant argues that the instant inventors are the first to discover the function of a SAK polypeptide as it relates to cellular proliferation and therefore the claimed methods. Applicant also argues the amendment to the claims renders the rejection of record moot, and goes on to argue that the '501 patent and the '081 patent, alone or combined, do not disclose or suggest a method for identifying a compound that modulates cellular proliferation by contacting a polypeptide having at least about 95% sequence identity to SEQ ID NO:2.

These arguments have been fully considered but found unpersuasive because the amended limitation of a SAK polypeptide having at least 95% sequence identity to the instant SEQ ID NO:2 protein is taught by WO 01/53312 A1 before the effective filing date of the instant application.

WO 01/53312 A1 teaches a SAK polypeptide having at least 95% sequence identity to the instant SEQ ID NO:2 protein, and US 5,959,081 A of record teaches that

Art Unit: 1642

a SAK protein involved in cellular proliferation, and method of identifying agonists and antagonists of a SAK polypeptide.

Neither WO 01/53312 A1 nor the '501 patent teaches measuring a cellular proliferation as the chemical or phenotypic effect, or measuring DNA synthesis using ^3H thymidine incorporation or measuring green fluorescent protein.

However, the '801 patent teaches at columns 24 and 26 that DNA synthesis as an amount of ^3H thymidine incorporation or measuring green fluorescent protein detection are well known techniques in the art before the effective filing date of the instant application.

Therefore, it would have been obvious to one of ordinary skill in the art to use DNA synthesis as an amount of ^3H thymidine incorporation or measuring green fluorescent protein detection with a reasonable expectation of success, given that the '501 patent teaches that a SAK protein is involved in cellular proliferation, and also given that WO 01/53312 A1 teaches a SAK polypeptide having at least 95% sequence identity to the instant SEQ ID NO:2 protein. One of ordinary skill would be motivated to identify a compound that dilutes the green emission as an candidate that might be inhibiting cellular protein, or the compound that inhibits ^3H thymidine incorporation in DNA of the cell as a possible candidate for inhibiting cancer cell growth because finding such compound would lead to making money.

Claims 9, 37, and **38** are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/53312 A1 (cited above) in view of US 5,650,501 A (22 July 1997) and further in view of US 5,589,356 A (31 December 1996, the '356 patent from now on).

Claims 9, 37, and 38 are interpreted as drawn to method of identifying a useful circular peptide by determining whether or not said circular peptide affecting cellular proliferation when said compound is contacted with a SAK polypeptide encoded by a nucleic acid hybridizes under stringent conditions to the nucleic acid encoding the instant SEQ ID NO:2 protein.

Applicant argues that the '501 patent and the '356 patent, alone or combined, do not disclose or suggest a method for identifying a compound that modulates cellular proliferation by contacting a polypeptide having at least about 95% sequence identity to SEQ ID NO:2.

The argument has been considered fully but found unpersuasive because WO 01/53312 A1 teaches the claimed polypeptide being used in the assay, and the '501 patent teaches SAK polypeptides are involved in cellular proliferation, and it is a good idea to use SAK polypeptides to screen a compound because it might lead to identifying a compound to treat cancer. See 102(b) and 103 (a) rejections above for further detail.

Neither WO 01/53312 A1 nor the '501 patent does not teach a circular peptide.

However, the '356 patent teaches (at the front page) a circular peptide and also teach that a usefulness of a circular peptide as a therapeutic has been recognized in the art before the effective filing date of the instant application (note column 3, lines 3-4).

Therefore, it would have been obvious to one of ordinary skill in the art to add a circular peptide to see whether the circular peptide modulates cellular proliferation, given that the '501 patent teaches that a SAK protein is involved in cellular proliferation and WO 01/53312 A1 teaches a SAK polypeptide that meets the amended limitation

Art Unit: 1642

and the '356 patent teaches many circular peptides. One of ordinary skill in the art would have been able to accomplish the claimed method with a reasonable expectation of success, because WO 01/53312 A1 teaches a SAK polypeptide that meets the amended limitation. One of ordinary skill would have been motivated to screen a circular peptide with the art-known detection methods as described by the '501 patent, given that the '356 patent teaches that a circular peptide might be a candidate therapeutic.

Conclusion

Claim 33 is objected because it depends on the rejected base claim.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

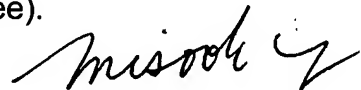
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 1642

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISOOK YU, Ph.D. whose telephone number is 571-272-0839. The examiner can normally be reached on 8 A.M. to 5:30 P.M., every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Siew can be reached on 571-272-0787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MISOOK YU, Ph.D.
Examiner
Art Unit 1642

EXhibit B

Page 1 of 2

CC cytokine, cell proliferation or cell differentiation or which may induce
CC production of other cytokines in other cell populations. The
CC polypeptides and polypeptides are useful in gene therapy, vaccines or
CC peptide therapy. The polypeptides have various cytokine-like activities,
CC e.g. stem cell growth factor activity, haematopoietic regulatory
CC activity, tissue growth factor activity, immunomodulatory activity and
CC activity/immunomodulatory activity and may be useful in the diagnosis and/or
CC treatment of cancer, leukaemia, nervous system disorders, arthritis and
CC inflammation. Note: Records for SEQ ID NO 2110 (AAK52581), 2111
CC (AAK52582) and 3666 (AAK80020) are omitted as the relevant pages from the
CC sequence listing were missing at the time of publication
SO Sequence 970 AA

Query Match 99.9%, Score 5075; DB 4; Length 970;
Best Local Similarity 99.9%, Pred. No. 0;
Matches 969; Conservative 1; Mismatches 0; Indels 0; Gaps 0;

QY 1 MATCGEKIDPDKNGNLGKSPAGYTRABSHITGLAVAIKQIDKQAYKAGVQVQNE 60
DB 1 MATCGEKIDPDKNGNLGKSPAGYTRABSHITGLAVAIKQIDKQAYKAGVQVQNE 60
QY 61 VKHICQLKHPSSILELYPEDSNVYVLEMGCHGEMARILKNTYKPSREARHMHQI 120
DB 61 VKHICQLKHPSSILELYPEDSNVYVLEMGCHGEMARILKNTYKPSREARHMHQI 120
QY 121 ITGALYHSHGILHRDLTSLNLTNNMTIKADGLATOLMPEHKKYTLCTPYNISP 180
DB 121 ITGALYHSHGILHRDLTSLNLTNNMTIKADGLATOLMPEHKKYTLCTPYNISP 180
QY 181 EIAKRSKAGKSDVWGLGCFPTLLIGRPEDDTVNTLKVTLADYEMPSFASLEAD 240
DB 181 EIAKRSKAGKSDVWGLGCFPTLLIGRPEDDTVNTLKVTLADYEMPSFASLEAD 240
QY 241 LIHQILRRPADRLSLSTLDHPMSRRNSTKSLGTVYDSDSGAHTSTITSSST 300
DB 241 LIHQILRRPADRLSLSTLDHPMSRRNSTKSLGTVYDSDSGAHTSTITSSST 300
QY 301 SIGSLFDRRLILGQPLPKNTVPRKXSTVYSSGDCNSFTYWGQSTNSGRGV 360
DB 301 SIGSLFDRRLILGQPLPKNTVPRKXSTVYSSGDCNSFTYWGQSTNSGRGV 360
QY 361 IODAEERPHSRLRAVSDSGTNSGQAKTYERCHASAMLSVSRSGSGGGRERY 420
DB 361 IODAEERPHSRLRAVSDSGTNSGQAKTYERCHASAMLSVSRSGSGGGRERY 420
QY 421 SPTDNNAIENFKEKTSSTSSGSPERDNNOLSNHLCCKTPPPADPTPTTVOQMF 480
DB 421 SPTDNNAIENFKEKTSSTSSGSPERDNNOLSNHLCCKTPPPADPTPTTVOQMF 480
QY 481 GMLQINAHKRTTETDLSPPRDFOGHPDLQKOTSRQANWTDLVKKNSDASDAHASYQ 540
DB 481 GMLQINAHKRTTETDLSPPRDFOGHPDLQKOTSRQANWTDLVKKNSDASDAHASYQ 540
QY 541 NTAKMTALHAKPEBIIQOECVFGSDPLSEOSKTRGEPWQONTLASISPLVARLK 600
DB 541 NTAKMTALHAKPEBIIQOECVFGSDPLSEOSKTRGEPWQONTLASISPLVARLK 600
QY 601 PIROKTKAAYVSIIDSEVCELYKAYASQRYKYLQISBQNTITTYPNRGGRGPLA 660
DB 601 PIROKTKAAYVSIIDSEVCELYKAYASQRYKYLQISBQNTITTYPNRGGRGPLA 660
QY 661 DRPSPTDNISRSYFDMPEKTYRKTQVARSFQVLRSGSPITTYFTRVACILAMENSP 720
DB 661 DRPSPTDNISRSYFDMPEKTYRKTQVARSFQVLRSGSPITTYFTRVACILAMENSP 720
QY 721 ADPEWPTDGVKHKETDFIQVLEKTKSYTLKSSSRVNLKXETIKYKMHQANEGRTIC 780
DB 721 ADPEWPTDGVKHKETDFIQVLEKTKSYTLKSSSRVNLKXETIKYKMHQANEGRTIC 780
QY 781 ALBSIISBERKTRSAPEPPIIIGRGSGTSPKALSPPSVDSNYPTNRASFNMMVNH 840
DB 781 ALBSIISBERKTRSAPEPPIIIGRGSGTSPKALSPPSVDSNYPTNRASFNMMVNH 840

QY 841 SAASPTOAPILNBSMTNBSGLITTAAGTQDISNSLNDCLPKSAOLIKSPVQNGCAT 900
DB 841 SAASPTOAPILNBSMTNBSGLITTAAGTQDISNSLNDCLPKSAOLIKSPVQNGCAT 900
QY 901 QLTGAVWQPNQSGQVYDQVSSISTSPNGCTTRYGNEKLPDYIKOKQLSSILL 960
DB 901 QLTGAVWQPNQSGQVYDQVSSISTSPNGCTTRYGNEKLPDYIKOKQLSSILL 960
QY 961 MFSNPTNPFH 970
DB 961 MFSNPTNPFH 970

RESULT 2
ID AAM39244
ID AAM39244 standard; protein; 970 AA.
ID AAM39244,
ID 22-OCT-2001 (first entry)

Human polypeptide SEQ ID NO 2389.

Human, nocotropic; immunosuppressant; cytostatic; gene therapy; cancer;
peripheral nervous system; neuropathy; central nervous system; CNS;
Alzheimer's disease; Parkinson's disease; Huntington's disease; haemostatic;
amyotrophic lateral sclerosis; Shy-Drager Syndrome; Chemotactic;
chemokinetic; thrombolytic; drug screening; arthritis; inflammation;
leukemia.

Homo sapiens;
MO200153312-A1.
26-JUL-2001. 102 (A), and (C)

26-DEC-2000; 2000MO-US034263.
23-DEC-1999; 99US-00471275.
21-JAN-2000; 2000US-00488725.
25-MAR-2000; 2000US-00552317.
20-JUN-2000; 2000US-00596042.
19-JUL-2000; 2000US-00620312.
03-AUG-2000; 2000US-00653450.
14-SEP-2000; 2000US-00662191.
19-OCT-2000; 2000US-00693036.
29-NOV-2000; 2000US-00727344.

(HYSB-) HYSBQ INC.

Tang YF, Liu C, Asundi V, Chen R, Ma Y, Qian XB, Ren F, Wang D,
Wang Z, Wehrman T, Xu C, Xue AJ, Yang Y, Zhang J, Zhao QA,
Zhou P, Goodrich R, Dimaic RT,
WPI: 2001-442253/47.
N-PSDB; AAI58400.

Novel nucleic acids and polypeptides, useful for treating disorders such
as central nervous system injuries.

Example 4; SEQ ID NO 2389; 10078pp; English.

The invention relates to human nucleic acids (AA157798-AA161369) and the
encoded polypeptides (AAM38642-AA42213) with nocotropic,
immunosuppressant and cytostatic activity. The polypeptides or polynucleotide
in gene therapy. A composition containing a polypeptide or polynucleotide
system, such as peripheral nervous system injuries, peripheral neuropathy and
localised neuropathies and central nervous system diseases, such as
Alzheimer's, Parkinson's disease, Huntington's disease, amyotrophic
lateral sclerosis, and Shy-Drager Syndrome. Other uses include the
utilization of the activities such as: Immune system suppression.

CC Activin/inhibin activity, chemotactic/chemokinetic activity, haemostatic
 CC and thrombolytic activity, cancer diagnosis and therapy, drug screening,
 CC assays for receptor activity, arthritis and inflammation, leukaemia and
 CC C.N.S disorders. Note: The sequence data for this patent did not form
 CC part of the printed specification

XX Sequence 970 AA,

Query Match 99.9%, Score 5075, DB 4, Length 970,
 Best Local Similarity 99.9%, Pred. No. 0,
 Matches 969, Conservative 1, Mismatches 0, Indels 0, Gaps 0,

1 MATCGGKIBDFKCNLKGSPAGYVRAHSHGLVAILKMDKAMTACAGVORVOR 60
 1 MATCGGKIBDFKCNLKGSPAGYVRAHSHGLVAILKMDKAMTACAGVORVOR 60
 61 VRIHQQLKPSILBELVNFEDSNVYVLEKCHNGENRRLKRVKPSSEARHFMQI 120
 61 VRIHQQLKPSILBELVNFEDSNVYVLEKCHNGENRRLKRVKPSSEARHFMQI 120
 121 ITGMLYLHSHGILHRLDLTSLNLTTRMMNLIKADPGLATOLKPHKHTLQSTPYIS 180
 121 ITGMLYLHSHGILHRLDLTSLNLTTRMMNLIKADPGLATOLKPHKHTLQSTPYIS 180
 181 BIATRSAGHLSQSDVMSLQCMFYTLIGRPEDTDTVNTINKVVLADYEMPSFSLBAND 240
 181 BIATRSAGHLSQSDVMSLQCMFYTLIGRPEDTDTVNTINKVVLADYEMPSFSLBAND 240
 241 LTHOLLRRNPADRLSLSVLDHPMSRNSSTKSDLTVDSDISDGAATSTRTTSST 300
 241 LTHOLLRRNPADRLSLSVLDHPMSRNSSTKSDLTVDSDISDGAATSTRTTSST 300
 301 S1SGSLPDKRLILIGOPLPNTOTVPPKCKSTDPSSSGDGNSTFYTKMNETSNGRGV 360
 301 S1SGSLPDKRLILIGOPLPNTOTVPPKCKSTDPSSSGDGNSTFYTKMNETSNGRGV 360
 361 IODAEPRHSRYLRAYSDRSSTNSOAKATYTKMRCHSABMLVSRSGGGRERY 420
 361 IODAEPRHSRYLRAYSDRSSTNSOAKATYTKMRCHSABMLVSRSGGGRERY 420
 421 SPTDNNANI FNPPEKTSSSSGSFERPDNNQALSNHLCPKTPPPADPTPOTETVOQMF 480
 421 SPTDNNANI FNPPEKTSSSSGSFERPDNNQALSNHLCPKTPPPADPTPOTETVOQMF 480
 481 GMLQINAHLRKTTEDDSIPRDFQGHPILOKOTSKAAKTDYTKVKNASDAHAKVQO 540
 481 GMLQINAHLRKTTEDDSIPRDFQGHPILOKOTSKAAKTDYTKVKNASDAHAKVQO 540
 541 NTAKTMTALHAKRPBIIIOQECVFGSDPLSEQSKTRGMEPPMGYONRTLRSTSPVAKRLK 600
 541 NTAKTMTALHAKRPBIIIOQECVFGSDPLSEQSKTRGMEPPMGYONRTLRSTSPVAKRLK 600
 601 PIKOTKKAUVSILDSSEVCVELKGYASOBYKVCVQISDGNITTIYPNGAGPPLA 660
 601 PIKOTKKAUVSILDSSEVCVELKGYASOBYKVCVQISDGNITTIYPNGAGPPLA 660
 661 DHPSPDNISRYSPDNLPKRYKRYOYASRFVQVLSKSPKITYTRYAKCILMENSFG 720
 661 DHPSPDNISRYSPDNLPKRYKRYOYASRFVQVLSKSPKITYTRYAKCILMENSFG 720
 721 ADFEWMFQGVKIKHTEDFOVIEKTKGKSYTLKSESVNLSKBIQWMDHNBGRICL 780
 721 ADFEWMFQGVKIKHTEDFOVIEKTKGKSYTLKSESVNLSKBIQWMDHNBGRICL 780
 781 ALBSIISSEBKRTSAPFPPIIGRKQGSTSPPLASPPSVDSNTPTDRASFNRMVWH 840
 781 ALBSIISSEBKRTSAPFPPIIGRKQGSTSPPLASPPSVDSNTPTDRASFNRMVWH 840
 841 SAASPTQAPILNPSVNTVEGLGLTTTASGTDISSNSKDCPKSAQLLKSVFVQVWAT 900
 841 SAASPTQAPILNPSVNTVEGLGLTTTASGTDISSNSKDCPKSAQLLKSVFVQVWAT 900
 901 QLTSGAVWQVRDQSQLVQVQVSSISITSPKQCTTRVGENBKLPDYIKQKQCLSSILL 960

DB 901 QLTSGAVWQVRDQSQLVQVQVSSISITSPKQCTTRVGENBKLPDYIKQKQCLSSILL 960
 QY 961 MFSNPTNFI 970
 DB 961 MFSNPTNFI 970

RESULT 3

AAW79817 standard; protein; 980 AA.

AAW79817;

06-NOV-2001 (first entry)

Human protein SEQ ID NO 3463.

Human, cytokine; cell proliferation; cell differentiation; gene therapy;
 vaccine; peptide therapy; stem cell growth factor; haematopoiesis;
 tissue growth factor; immunomodulatory; cancer; leukaemia;
 nervous system disorder; arthritis; inflammation.

Homo sapiens.

MO200157190-A2.

09-AUG-2001.

05-FEB-2001, 2001MO-US004098.

03-FEB-2000, 2000US-00496914.

27-APR-2000, 2000US-00560875.

20-JUL-2000, 2000US-00598075.

19-JUL-2000, 2000US-00620325.

01-SEP-2000, 2000US-00649361.

15-SEP-2000, 2000US-00653561.

20-OCT-2000, 2000US-00683325.

30-NOV-2000, 2000US-00728422.

(HYSR-) HYSRQ INC.

Tang Y, Liu C, Drmanac RT, Asundi V, Zhou P, Xu C, Cao Y,
 Ma Y, Zhao Q, Wang D, Wang J, Zhang J, Ren P, Chen R, Wang ZM,
 Xue H, Yang Y, Wejberman T, Goodrich R,
 WPI, 2001-476283/51.

N-PSDB; AAK52950.

Nucleic acids encoding polypeptides with cytokine-like activities, useful
 in diagnosis and gene therapy.

Claim 20, Page 345, 6222pp, English.

The invention relates to polynucleotides (AAK51456-AAK53435) and the
 encoded polypeptides (AAW7323-AAW80302) that exhibit activity exerting to
 cytokine, cell proliferation or cell differentiation or which may induce
 production of other cytokines in other cell populations. The
 polynucleotides and polypeptides are useful in gene therapy, vaccines or
 peptide therapy. The polypeptides have various cytokine-like activities,
 e.g. stem cell growth factor activity, haematopoiesis regulating
 activity, tissue growth factor activity, immunomodulatory activity and
 activity/inhibin activity and may be useful in the diagnosis and/or
 treatment of cancer, leukaemia, nervous system disorders, arthritis and
 inflammation. Note: Records for SEQ ID NO 2110 (AAK52581), 2111
 (AAK52582) and 3666 (AAW80020) are omitted as the relevant pages from the
 sequence listing were missing at the time of publication

Sequence 980 AA;

Query Match 99.9%, Score 5075, DB 4, Length 980,
 Best Local Similarity 99.9%, Pred. No. 0,
 Matches 969, Conservative 1, Mismatches 0, Indels 0, Gaps 0;

Db	1474	AGATCTGGCACTTCAATAGTCAGTCTCAGCAAAACATATACAGAAACCATCTCAC	1533
Qy	1201	TCACAGAAAATGCTTCAAGTGTCCAAAGATCAGAGAGGTGAAAATGAAGAGATAC	1266
Db	1534	TCACAGAAAATGCTTCAAGTGTCCAAAGATCAGAGAGGTGAAAATGAAGAGATAC	1593
Qy	1261	TCACCAACAACAATGCAATGCAATTTTAACTCTTTAAAGAAAAGACTCAGTACT	1320
Qy	1321	TCGGAATCTTTGAAGAAGCTGATATACATCAGCACTCTCAATCACTTTGTCCAGGA	1380
Db	1654	TCGGAATCTTTGAAGAAGCTGATATACATCAGCACTCTCAATCACTTTGTCCAGGA	1713
Qy	1391	AAAATCTCTTTTGCATTTCGACCCCACTCTGAGTGAACCTGATCAGACGTGTT	1440
Db	1714	AAAATCTCTTTTGCATTTCGACCCCACTCTGAGTGAACCTGATCAGACGTGTT	1773
Qy	1441	GGGAATCTGCAATTAATATGCTCATTTAAGAAAATCTAGATATATGACAGCACTGCA	1500
Db	1774	GGGAATCTGCAATTAATATGCTCATTTAAGAAAATCTAGATATATGACAGCACTGCA	1833
Qy	1501	AACGGGAGCTTCCAGGGGCCATCCAAATTTGAGAAAGGACATCAAAAATATGCTTGACT	1560
Db	1834	AACGGGAGCTTCCAGGGGCCATCCAAATTTGAGAAAGGACATCAAAAATATGCTTGACT	1893
Qy	1561	GATACAAAAGTCAAAAAGACTGTATGCTTGTATATGCAATCTGTATAAACAGCA	1620
Db	1894	GATACAAAAGTCAAAAAGACTGTATGCTTGTATATGCAATCTGTATAAACAGCA	1953
Qy	1621	AATACCAATGAATATATATGATGCACTTCAACGTAAACCTGAGTAAATCCAAAGAAAT	1680
Db	1954	AATACCAATGAATATATATGATGCACTTCAACGTAAACCTGAGTAAATCCAAAGAAAT	2013
Qy	1681	GTTTTGTGCTCAAGTCTCTTTCTTGAACAGACAGCACTAGGGGTATGAGCCACATAG	1740
Db	2014	GTTTTGTGCTCAAGTCTCTTTCTTGAACAGACAGCACTAGGGGTATGAGCCACATAG	2073
Qy	1741	GGTTATCAGAAATGATACATTAAGAAAGCATTAATCTCCGTTGGTTGCTCAAGGTTAAA	1800
Db	2074	GGTTATCAGAAATGATACATTAAGAAAGCATTAATCTCCGTTGGTTGCTCAAGGTTAAA	2133
Qy	1801	CCAAATCAGACAGAAAACCAAAAAGGCTGTGTGAGCATACTGATTCAGAGGAGTGT	1860
Db	2134	CCAAATCAGACAGAAAACCAAAAAGGCTGTGTGAGCATACTGATTCAGAGGAGTGT	2193
Qy	1861	GTGAGACTGTAAAGAGATATGATCTCAAGAAATATGTAAAGAAAGTCTTCAATATCT	1920
Db	2194	GTGAGACTGTAAAGAGATATGATCTCAAGAAATATGTAAAGAAAGTCTTCAATATCT	2253
Qy	1921	AGGAAATGGAATATCAATCAATTTATTAATCCAAATGCTGTAAGGTTTTCTCTTGTCT	1980
Db	2254	AGGAAATGGAATATCAATCAATTTATTAATCCAAATGCTGTAAGGTTTTCTCTTGTCT	2313
Qy	1981	GATAGACACCTCACTCACTGACAAATCATGATGAGGTACAGCTTTGACAAATTAACGAA	2040
Db	2314	GATAGACACCTCACTCACTGACAAATCATGATGAGGTACAGCTTTGACAAATTAACGAA	2373
Qy	2041	AAATATGCGCCAAAATATCAATATGCTTCAAGTTTGTACAGCTTGTAAATCTAAATCT	2100
Db	2374	AAATATGCGCCAAAATATCAATATGCTTCAAGTTTGTACAGCTTGTAAATCTAAATCT	2433
Qy	2101	CCCAAAATCACTTATTTTACAGATATGCTAAATGCAATTTGATGCAATTTCTCGTGT	2160
Db	2434	CCCAAAATCACTTATTTTACAGATATGCTAAATGCAATTTGATGCAATTTCTCGTGT	2493
Qy	2161	GGGATTTTGAAGTTTGGTTTATATGATGGGGTAAATATACAAAAGAAATTCAT	2220
Db	2494	GGGATTTTGAAGTTTGGTTTATATGATGGGGTAAATATACAAAAGAAATTCAT	2553
Qy	2221	CAGGTATTTAAAGACAGGAAAGTCTTACACTTTAAAAGTGAAGTGAATATAGC	2280

PA	(LUC/) LIU C.
PA	(ASUN/) ASUNDI V.
PA	(DRMA/) DRMANAC R T.
XX	
XX	Zhou P, Tang YT, Liu C, Asundi V, Drmanac RT,
XX	
XX	WPI, 2003-678194/64.
XX	
PT	New polynucleotide, useful for treating diseases e.g., cancer or
PT	neurodegenerative diseases.
XX	
PS	Claim 1; SEQ ID NO 260; 99pp; English.
XX	
CC	The invention relates to a polynucleotide comprising a sequence given in
CC	the specification, or its mature protein-coding portion, or its
CC	complement. The polynucleotide is useful for treating diseases e.g.,
CC	cancer or neurodegenerative diseases and many others listed in the
CC	specification. The present sequence represents a novel human cDNA. Note:
CC	The sequence data for this patent did not form part of the printed
CC	specification but was obtained in electronic format directly from USPTO
XX	at seqdata.uspto.gov/sequence.htmlDocID=20030104529.

Query Match	99.9%	Score 2911.4	DB 6	Length 3937
Best Local Similarity	100.0%	Pred. NO. 0		
Matches 2912, Conservative	0	Mismatches 1	Indels 0	Gaps 0

QY	1	ATGGGACCTGCACTCGGGGAGAAAGTCCAGGATTTTAAAGTGGAAATCGCTGTGAAA	60
Db	334	ATGGGACCTGCACTCGGGGAGAAAGTCCAGGATTTTAAAGTGGAAATCGCTGTGAAA	392
QY	61	GGATCAATTTGCTGGTGTCTACAGACCTGAGTCCATGACCTGGTTTGGAAATTTGGAAATC	120
Db	394	GGATCAATTTGCTGGTGTCTACAGACCTGAGTCCATGACCTGGTTTGGAAATTTGGAAATC	452
QY	121	AAATGATAGATAGAGAAAGCCATGTACAAAGCAGAAATGTACAGAGATCCAAATATGAG	180
Db	454	AAATGATAGATAGAGAAAGCCATGTACAAAGCAGAAATGTACAGAGATCCAAATATGAG	512
QY	181	GTGAAATATACATTTGCCAATTGAAACATCGTCTATCTTGGAGCTTATATACATTTTGA	240
Db	514	GTGAAATATACATTTGCCAATTGAAACATCGTCTATCTTGGAGCTTATATACATTTTGA	572
QY	241	GATGACCAATTATGTGTATCTGTATTGAAATGTGCAATATGAGAAATGACAGTAT	300
Db	574	GATGACCAATTATGTGTATCTGTATTGAAATGTGCAATATGAGAAATGACAGTAT	632
QY	301	CTAAAGATATAGGTGAAACCTTTCTCAGAAATATACCTGACATCTTACACACAGATC	360
Db	634	CTAAAGATATAGGTGAAACCTTTCTCAGAAATATACCTGACATCTTACACACAGATC	692
QY	361	ATGACAGGATGTGTATCTTCAATCTCATGTGTATGATACACCTGGACCTCACATTTCT	420
Db	694	ATGACAGGATGTGTATCTTCAATCTCATGTGTATGATACACCTGGACCTCACATTTCT	752
QY	421	AATCCTCCATGACTGTGTATATATGAAACATCAAGATGCTGATTTTGGCTGGCACTCA	480
Db	754	AATCCTCCATGACTGTGTATATATGAAACATCAAGATGCTGATTTTGGCTGGCACTCA	812
QY	481	CTGAAATATGCCATATGAAAGCACTATACATTATGTGAACTCTTAATCTACATTTGACCA	540
Db	814	CTGAAATATGCCATATGAAAGCACTATACATTATGTGAACTCTTAATCTACATTTGACCA	872
QY	541	GAATATGCACTCGAAGTCCACATGAGCCTTGAAATCTGATGTTGTGCTCCCTGGCTGTATG	600
Db	874	GAATATGCACTCGAAGTCCACATGAGCCTTGAAATCTGATGTTGTGCTCCCTGGCTGTATG	932
QY	601	TTTTTATCAATTAATATGAGGAGACCAACCTTGCATCTGACACAGTCAAGAAACATTA	660
Db	934	TTTTTATCAATTAATATGAGGAGACCAACCTTGCATCTGACACAGTCAAGAAACATTA	992
QY	661	AATTAAGTATATGACATTTATGAAATGCCATCTTTTGTGCATATAGGCCACAGAC	720